



STATE OF CONNECTICUT DEPARTMENT OF MOTOR VEHICLES

60 STATE STREET WETHERSFIELD, CONNECTICUT 06161
<http://dmvct.org>



MEMORANDUM

TO: Legislative Regulation Review Committee
Room 011, Capitol Building
Hartford, Connecticut 06106

FROM: Melody A. Currey, Commissioner 
Department of Motor Vehicles
60 State Street
Wethersfield, CT 06161

DATE: September 10, 2012

RE: Response to Comments on proposed regulation entitled "Ignition Interlock Devices"

The Department of Motor Vehicles ("DMV") received one public comment regarding the proposed regulation referenced above from Janice Margolis, Executive Director of Mothers Against Drunk Driving (MADD), Connecticut State Office in East Haven, Connecticut. The Notice of Intent for this regulation was published in the Connecticut Law Journal on August 7, 2012. The original language and the revisions adopted based on the public comment received are outlined below:

1. Section 14-227a-12a. Definitions

Comment: In the "violation" definition found in subsection (24) (b) the commenter wonders if the Department meant to allow an offender "two occasions" to fail a rolling retest within one service visit. The Commenter believes that only one failure should be deemed a violation under the regulation.

Response: The DMV took another look at the violation definition and concluded that it should separate out two different types of violations by an operator with an IID: (a) a failed rolling retest and (b) failure to submit to a rolling retest. After further review, the DMV revised this subsection in light of the suggestion by commenter.

As Proposed

14-227a-12a(24)(b) Two occasions within one service period of failing a rolling re-test or failing to submit to a rolling re-test, or either of these in combination;

(c) Tampering with or attempting to tamper with or circumventing or attempting to circumvent the IID, based upon a report to the commissioner and CSSD from the manufacturer or installer;

(d) Operating a vehicle without a required IID

(e) Removing an IID without authorization;

(f) Requesting or soliciting another person to blow into or otherwise activate the device for the purpose of providing the restricted driver with an operable motor vehicle.

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As Revised

14-227a-12a(24)(b) A second or subsequent occasion of failing a rolling re-test;
(c) Failing to submit to a rolling retest;
(d) Tampering with or attempting to tamper with or circumventing or attempting to circumvent the IID, based upon a report to the commissioner and CSSD from the manufacturer or installer;
(e) Operating a vehicle without a required IID;
(f) Removing an IID without authorization;
(g) Requesting or soliciting another person to blow into or otherwise activate the device for the purpose of providing the restricted driver with an operable motor vehicle.

2. Due to the revisions noted above, it was also necessary to revise Section 14-227a-22a. In addition, language was included to allow the Commissioner to have the manufacturer's report available to other governmental entities as she deems appropriate.

As Proposed

14-227a-22a (a) The Installer, manufacturer or manufacturer's representative shall [provide immediate written notification to the department if a motor vehicle is not presented for a scheduled inspection or if evidence is found that there has been tampering with the device, or that the device has been removed or disabled]immediately file a report with the commissioner and CSSD, in such manner as the commissioner requires, upon discovering: (1) Evidence of circumventing, disabling or tampering with a device; (2) Two occasions within one service period of failing a rolling re-test or failing to submit to a rolling re-test, or either of these in combination; (3) A failed start-up test; (4) A missed service visit; (5) Removal of the device.

As Revised

14-227a-22a (a) The Installer, manufacturer or manufacturer's representative shall [provide immediate written notification to the department if a motor vehicle is not presented for a scheduled inspection or if evidence is found that there has been tampering with the device, or that the device has been removed or disabled]immediately file a report with the commissioner, CSSD, and such other entities as the commissioner designates in such manner as the commissioner requires, upon discovering: (1) Evidence of circumventing, disabling or tampering with a device; (2) Failing a rolling re-test (3) Failing to submit to a rolling re-test; (4) A failed start-up test; (5) A missed service visit; (6) Removal of the device.